

STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160D-605(a) ADDRESSING ACTION ON THE UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS OF FEBRUARY 22, 2022

Pursuant to G.S. §160D-601 and Sec. 2.2.11.E of the Unified Development Ordinance, the Planning and Community Development Director for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting), of a public hearing on UDO Amendments before the Town Council on the 14th day of September 2021.

The Apex Town Council held a public hearing on the 22nd day of February 2022. Amanda Bunce, Current Planning Manager, presented the Planning Board's vote to recommend approval by a vote of 7-0 at the public hearing.

All persons who desired to present information relevant to the UDO Amendments and who were residents of Apex or its extraterritorial jurisdiction were allowed to present evidence at the public hearing before the Apex Town Council. No one who wanted to speak was turned away.

The Town Council the 22nd day of February 2022 by a vote of 5 to 0, approved the Ordinance for UDO Amendments.

The Apex Town Council finds from information and testimony provided at the public hearing that the approval of the various UDO Amendments of February 22, 2022 are consistent with the Advance Apex: The 2045 Plan and reasonable and in the public interest for the following reason(s):

1. The amendment to UDO Secs. 4.2.2 Use Table and 4.4.2 *Supplemental Standards, Public and Civic Uses* require a neighborhood meeting to be held prior to the submittal of any Minor or Major Site Plan for the use "School, public or private" to allow nearby owners and residents a chance to review the proposed plan and offer comments to the applicant prior to submittal.
2. The amendment to UDO Sec. 2.1.9 *Apex Environmental Advisory Board* removes a reference to the Environmental Committee of Town Council which was dissolved in December 2021.
3. The amendment to UDO Sec. 4.3.5 *Use Classifications, Commercial Uses* expands the definition of glass sales to allow for a wholesale business option in addition to retail sales.
4. The amendment to UDO Sec. 8.2.8.B.1 *Screening Methods, Dumpsters* allows wood as a material for the gates of dumpster enclosures associated with Wake County Landmark or other historic structures so that the material may be consistent with the historic nature of the property.
5. The amendments to UDO Sec. 8.2.6.C.4 *General Buffering Requirements, No Development Within the Required Buffer* corrects a typographical error to a section reference and require buffers along Fully- and Limited-Controlled Access Highways that contain a public utility easement to have a minimum 20-foot-wide planting area consistent with the requirement for Thoroughfare and Streetfront buffers.

Jacques K. Gilbert
Mayor

ATTEST:

Interim Town Clerk

Date